

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

PENN-AMERICA INSURANCE COMPANY,)
Plaintiff,)
)
)
)
V.) C.A. No. 1:17-cv-00190
)
CHARLEY'S PLACE, INC. and)
CHARLES DICHIARO, SR.,)
Defendants.)

DEFAULT JUDGMENT

This matter came on for hearing before the Court, Chief Justice Smith presiding, on October 23, 2017, and the issues having been decided, Default Judgment may enter declaring the following:

1. Penn-America Insurance Company has no duty to defend Charley's Place, Inc. or Charles DiChiaro, Sr. with respect to the claims asserted in the civil action bearing the caption Estate of Robert Gordon v. Charley's Place, Inc. d/b/a Charley's Place and Charles DiChiaro, Sr., C.A. PC-2017-0516, presently pending in the Providence County Superior Court, or with respect to any claims arising out of the incident or events that occurred on April 18, 2014 that allegedly resulted in the death of Robert V. Gordon.

2. Penn-America Insurance Company has no duty to indemnify Charley's Place, Inc. or Charles DiChiaro, Sr. for the claims asserted in the civil action bearing the caption Estate of Robert Gordon v. Charley's Place, Inc. d/b/a Charley's Place and Charles DiChiaro, Sr., C.A. PC-2017-0516, presently pending in the Providence County Superior Court or for any claims arising out of the incident or events that occurred on April 18, 2014 that allegedly resulted in the death of Robert V. Gordon.

ENTERED:

USMOMC
JUSTICE

PER ORDER,

B.M.J.W.
CLERK

Dated: 11/9/17

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October, 2017, a true and accurate copy of the within document was filed electronically through the Court's CM/ECF System and was served by first class mail, postage prepaid, on the following individuals/entities:

Charley's Place, Inc.
158 First Avenue
Woonsocket, RI 02895

Charles DiChiara, Sr.
296 Fairmount Street, #1
Woonsocket, RI 02895

Parties may access this filing through the Court's CM/ECF System.

/s/ Paul S. Callaghan